

In The Claims:

The listing of claims will replace all prior versions, and listings, of claims in the application:

5 **Listing of Claims:**

1. (Currently Amended) A method for determining existence of a disk in an optical disk drive, the method comprising: focusing a laser beam of a first wavelength, and determining whether a disk is inserted into an optical disk drive according to the generation of a first predetermined signal; and focusing a laser beam of a second wavelength if the first predetermined signal is not generated, and determining whether a disk is inserted into an optical disk drive according to the generation of a second predetermined signal.
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2. (Original) The method of claim 1 wherein the laser beam of the first wavelength and the laser beam of the second wavelength are emitted from an optical pick-up head.
- 15 3. (Currently Amended) The method of claim 12 wherein the step of focusing comprises moving the pick-up head for changing a focal point, and the method further comprises receiving a focus error signal from ~~an~~ photo detector.
4. (Original) The method of claim 1 wherein the first predetermined signal is an S-curve or an RF level signal.
- 20 5. (Original) The method of claim 1 wherein the second predetermined signal is an S-curve or an RF level signal.
6. (Currently Amended) A method for determining existence of a disk in an optical disk drive, the method comprising: utilizing a laser beam of a first wavelength to execute focusing and detecting the generation of a first predetermined signal; utilizing a laser beam of a second wavelength to execute focusing and detecting the generation of a second predetermined signal; determining whether a disk is inserted into an optical disk drive according to the generation of at least one of the first predetermined signal and the second predetermined signal.
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7. (Currently Amended) The method of claim 67 wherein the laser beam of the first wavelength and the laser beam of the second wavelength are emitted from an optical pick-up head.
8. (Currently Amended) The method of claim 67 wherein the action of focusing
5 comprises moving the pick-up head for changing a focal point, and the method further comprises receiving a focus error signal from a photo detector.
9. (Currently Amended) The method of claim 67 wherein the first predetermined signal is an S-curve or an RF level signal.
10. (Currently Amended) The method of claim 67 wherein the second predetermined
10 signal is an S-curve or an RF level signal.